

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By Vice-Chairman Hendrick, on January 21, 2009 at 3:00 P.M., in Room 472 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Gordon R. Hendrick, Vice Chairman (R)  
Rep. JP Pomnichowski, Vice Chairman (D)  
Rep. Tony Belcourt (D)  
Rep. Gerald Bennett (R)  
Rep. Anders Blewett (D)  
Rep. Jill Cohenour (D)  
Rep. Sue Dickenson (D)  
Rep. Betsy Hands (D)  
Rep. Brian Hoven (R)  
Rep. Tom McGillvray (R)  
Rep. Mike Menahan (D)  
Rep. Scott Mendenhall (R)  
Rep. Mike Miller (R)  
Rep. Michele Reinhart (D)  
Rep. Kendall Van Dyk (D)  
Rep. Chas Vincent (R)  
Rep. Wendy Warburton (R)

**Members Excused:** Rep. Mike Milburn, Chairman (R)

**Members Absent:** None

**Staff Present:** Shirley Chovanak, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HJR 1, 1/15/2009; HB 40, 1/14/2009;  
HB 153, 1/14/2009

Executive Action: None

00:00:01 Vice Chairman Hendrick

**HEARING ON HB 153**

**Opening Statement by Sponsor:**

00:02:10 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 153, Revise the Voluntary Cleanup and Redevelopment Act (VCRA).

**[EXHIBIT\(nah14a01\)](#)**

**Proponents' Testimony:**

00:08:54 Sandy Olson, Department of Environment Quality (DEQ)

**[EXHIBIT\(nah14a02\)](#)**

**Opponents' Testimony:**

00:14:36 Brett Doney, Great Falls Development Authority

00:18:47 Darrell James, City of Missoula

00:21:53 Chad Delong, Missoula Area Economic Organization

**Informational Testimony:**

00:23:46 Lisa Blanford, Performance, Legislative Audit Division (LAD)

**[EXHIBIT\(nah14a03\)](#)**

**Questions from Committee Members and Responses:**

00:24:43 Rep. Reinhart

00:24:55 Ms. Blanford

00:25:13 Rep. Reinhart

00:25:28 Mr. Delong

00:26:07 Rep. Reinhart

00:26:13 Mr. Delong

00:26:22 Rep. Reinhart

00:26:35 Mr. Doney

00:26:50 Ms. Olson

00:27:59 Mr. Doney

00:28:07 Rep. Reinhart

00:28:13 Mr. Doney

00:28:39 Rep. Reinhart

00:28:46 Ms. Olson

00:30:19 Rep. Reinhart

00:30:28 Ms. Olson

00:31:50 Rep. Reinhart

HOUSE COMMITTEE ON NATURAL RESOURCES

January 21, 2009

PAGE 3 of 7

00:32:03 Ms. Olson  
00:34:50 Rep. Dickenson  
00:35:19 Ms. Olson  
00:35:25 Rep. Dickenson  
00:36:06 Ms. Olson  
00:36:44 Rep. Dickenson  
00:37:13 Ms. Olson  
00:39:19 Rep. Belcourt  
00:39:39 Ms. Olson  
00:39:50 Vice-Chairman Hendrick  
00:40:49 Denise Martin, Site Response Section, DEQ  
00:42:10 Rep. Belcourt  
00:42:26 Mr. Doney  
00:42:50 Rep. Vincent  
00:43:10 Ms. Olson  
00:43:43 Rep. Vincent  
00:44:19 Ms. Olson  
00:44:41 Rep. Vincent  
00:45:07 Mr. Delong  
00:47:19 Rep. Vincent  
00:47:44 Mr. Delong  
00:48:35 Rep. Vincent  
00:48:43 Mr. Delong  
00:48:50 Rep. Cohenour  
00:49:35 Mr. Delong  
00:50:43 Rep. Cohenour  
00:50:50 Mr. Delong  
00:51:39 Rep. Cohenour  
00:52:24 Rep. Hands  
00:53:19 Rep. Miller  
00:53:37 Ms. Olson  
00:53:56 Rep. Miller  
00:53:59 Ms. Olson  
00:54:06 Rep. Miller  
00:54:29 Ms. Olson  
00:54:54 Rep. Hoven  
00:55:24 Rep. Hands  
00:56:50 Rep. Hoven  
00:56:60 Rep. Hands  
00:57:06 Ms. Olson  
00:57:36 Rep. Warburton  
00:58:24 Ms. Olson  
00:58:51 Rep. Warburton  
00:59:18 Ms. Olson  
00:59:53 Rep. Warburton  
01:00:05 Ms. Martin  
01:01:50 Rep. Warburton  
01:02:01 Ms. Martin  
01:03:00 Vice-Chairman Hendrick  
01:03:22 Rep. Warburton

01:03:43 Ms. Martin  
01:04:26 Rep. Vincent  
01:05:21 Ms. Martin  
01:05:54 Rep. Vincent  
01:06:34 Ms. Martin  
01:07:47 Vice-Chairman Hendrick  
01:08:28 Rep. Vincent  
01:08:42 Rep. Pomnichowski  
01:09:18 Ms. Martin  
01:10:01 Rep. Pomnichowski  
01:10:41 Ms. Martin

**Closing by Sponsor:**

01:10:52 Rep. Hands

**HEARING ON HB 40**

**Opening Statement by Sponsor:**

1:20:17 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 40, Revise water right permit process.

**EXHIBIT (nah14a04)**

**Proponents' Testimony:**

01:22:00 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)

**EXHIBIT (nah14a05)**

01:24:00 John Tubbs, Administrator, Water Resources Division, DNRC

**EXHIBIT (nah14a06)**

01:32:53 Abigail St. Lawrence, Montana Association of Realtors

01:36:17 Mike Murphy, Montana Water Resources Association

01:37:22 Dustin Stuart, Montana Building Industry Association (MBIA)

**EXHIBIT (nah14a07)**

01:37:54 Holly Franz, PPL Montana, LLC

**EXHIBIT (nah14a08)**

01:38:31 Bill Shenk, Legal Counsel, Montana Department of Fish, Wildlife, and Parks (FWP)

**EXHIBIT (nah14a09)**

01:42:08 Krista Lee Evans, Association of Gallatin Agricultural Irrigators

01:42:28 Mark Aagenes, Montana Trout Unlimited

01:43:26 Nancy Schlepp, Montana Farm Bureau Federation

01:43:46 Beth Kaeding, Chair, Northern Plains Resource Council

01:44:14 David Schmidt, Water Rights Consultant

**EXHIBIT (nah14a10)**

01:44:53 Brianna Randall, Clark Fork Coalition  
01:45:21 Brenda Lindlief Hall, Attorney, Tongue River Water  
Users' Association  
01:46:46 Tim Davis, Montana Smart Growth Coalition  
01:47:04 Vanessa Clark, Montana Water Well Drillers Association  
01:48:16 Don McIntyre, Utility Solutions

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:49:51 Rep. Reinhart  
01:50:04 Mr. Tubbs  
01:51:18 Rep. Reinhart  
01:51:37 Rep. Cohenour  
01:53:01 Rep. Hands  
01:53:26 Rep. Cohenour  
01:53:42 Rep. Mendenhall  
01:54:16 Mr. Tubbs  
01:55:12 Rep. Hoven

**Closing by Sponsor:**

01:55:39 Rep. Cohenour

**HEARING ON HJ 1**

**Opening Statement by Sponsor:**

01:56:47 Rep. Julie French (D), HD 36, opened the hearing on  
HJ 1, Interim study of biomass.

**Proponents' Testimony:**

02:00:20 Ms. Sexton  
02:02:58 Bronn Devlon, Northwestern Energy  
02:03:27 Joel Clairmont, Deputy Director, Montana Department of  
Agriculture  
02:03:54 Chris Christians, Montana Farmers Union

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:05:35 Rep. Hands  
02:06:15 Rep. French  
02:07:07 Rep. Hands  
02:07:33 Rep. French  
02:08:26 Rep. Mendenhall  
02:09:49 Rep. French  
02:11:53 Rep. Mendenhall  
02:12:18 Rep. French  
02:13:03 Rep. Hoven  
02:13:36 Rep. McGillvray  
02:14:02 Mr. Devlon  
02:15:39 Rep. McGillvray  
02:15:47 Mr. Devlon  
02:17:08 Rep. McGillvray  
02:17:18 Mr. Devlon  
02:18:32 Rep. Dickenson  
02:19:01 Ms. Sexton  
02:19:37 Rep. Vincent  
02:20:53 Rep. French  
02:22:20 Rep. Hendrick  
02:23:15 Rep. French

**Closing by Sponsor:**

02:23:56 Rep. French

**ADJOURNMENT**

02:25:11 Adjournment

---

SHIRLEY CHOVANAK, Secretary

SC

Additional Documents:

**EXHIBIT ([nah14aad.pdf](#))**